



08-CR-05601-ORD

1

2

3

4

5

6

7

8

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9

UNITED STATES OF AMERICA,

10

Plaintiff,

11

v.

12

LAWRENCE WILLIAMS,

13

Defendant.

14

15

CASE NO. CR08-5601BHS

16

ORDER DENYING MOTION
FOR CONTINUANCE

17

This matter comes before the Court on Defendant Lawrence Williams's ("Williams") motion for continuance (Dkt. 189). The Court has considered the pleadings filed in support of and in opposition to the motion and the remainder of the file and hereby denies the motion for the reasons stated herein.

20

Williams was convicted by a jury of both counts of the Government's Second Superceding Indictment for possession of crack cocaine in violation of 21 U.S.C. § 841(a)(1) and tampering with a witness in violation of 18 U.S.C. § 1512(b)(1). See Dkts. 41 and 163. Williams has a sentencing hearing scheduled for July 12, 2010, before this Court. He seeks a continuance of this sentencing hearing "until Congress enacts a new minimum mandatory sentence for crack cocaine violations." Dkt. 189 at 5. While the Government does not dispute that there are bills pending in Congress that, if passed, may affect sentencing for a violation of § 841, it opposes Williams's motion for an

21

22

23

24

25

26

27

28

1 indefinite continuance. Dkt. 190. While Congress may or may not enact new legislation
2 regarding crack cocaine violations, the Court concludes that Williams's sentencing should
3 not be continued indefinitely to await such a possibility.

4 Therefore, it is hereby **ORDERED** that Williams's motion for continuance (Dkt.
5 189) is **DENIED**.

6 DATED this 1st day of July, 2010.

7 
8 _____
9 BENJAMIN H. SETTLE
United States District Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28